

In The United States District Court
For The Western District of Virginia
Charlottesville Division

CLERK'S OFFICE U.S. DIST. COURT
AT CHARLOTTESVILLE, VA
FILED

Siner et al Plaintiffs vs.
Kessler et al Defendants.

MAY 16 2022

Civil Action 3:17-cv-00072

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
DEPUTY CLERK

Defendants' Opposition to Plaintiffs'
Motions for Attorneys fees and Costs

Comes now, the Defendant, Christopher Cantwell, and he files this opposition to Plaintiffs' motions for attorneys fees and costs. In support he states as follows.

- 1.) Cantwell has separately moved for more time to respond to Plaintiffs' motion, and was granted a shorter extension than requested. Cantwell has separately appealed that decision, and by offering this opposition, Cantwell does not waive any of those concerns. This opposition, inevitably inadequate for the reasons previously set forth, is offered due to the experience of the Plaintiffs getting whatever they want while Cantwell gets screwed, and so creating the necessity to have something on the record by the date set in ECF 1584, of May 23rd 2022.
- 2.) Separately, Cantwell has challenged the Jurys verdict, If Justice is done, the Court will recognize that the Plaintiffs are owed nothing but fines imprisonment, and public scorn for their crimes.

3.) Even failing all this, Plaintiffs' supposed costs were incurred in a failed effort to prove a non-existent racially motivated violent conspiracy. In an effort to keep their illegitimate verdict, Plaintiffs now assert that they only had to prove "harassment" to prevail on Counts 3 and 4. If Plaintiffs had been honest, and sued under a theory of harassment, the case would have been dismissed on First Amendment grounds, and it was only by deceiving the Court and Public that the case went on long enough to incur the outrageous amount now demanded.

4.) In Judge Moon's decision on the motions to dismiss for failure to state a claim, Judge Moon stated that Cantwell was "lower in the pecking order" but more involved in "overt acts of violence". The verdict at trial does not support the claim of a racially motivated violent conspiracy, and no evidence was offered at trial that Cantwell did or said anything to any Plaintiff.

5.) Plaintiffs' ~~claims~~ Claims arose ex turpi causa and are barred in pari delicto, because it was only by their choice to stalk and confront Defendants while Defendants were engaged in constitutionally protected demonstrations, and Plaintiffs either were themselves or knowingly accompanied by

violent Antifa criminals, who came from all over the country with weapons, intent on violating Defendants' rights.

6.) Specifically, on August 11th at OUA, Plaintiffs were in the company of notorious criminals Thomas Massey and Thomas Keenan and Emily Gorcenski. Massey is on video stating the violence. Holly Zoller was pictured carrying an illegal firearm on campus, and all the other evidence of Plaintiffs' and associates' illegal and ~~immoral~~ moral behavior, followed by Plaintiffs' willingness to lie under oath in furtherance thereof. For example, Ms. Sines stating that Defendants "systematically were pulling students off the statue and beating them" which was contradicted by video and the testimony of Willis and Romero. Ms. Sines's dishonesty was noted by the jury as they awarded her \$0, on count 3.

7.) On August 12th Plaintiffs disobeyed a police dispersal order, illegally blocked traffic, and traveled in an armed mob chanting "Antifascists!" and attacking vehicles in the street. EVERY Plaintiff lied under oath about that mob being armed and being associated with Antifa, despite the loud and repeated chants and the Black Antifa flag prominently displayed along with many weapons.

8.) Even now, Plaintiffs' counsel ask the Court "don't believe your lying eyes" by insisting these criminals were entirely peaceful and had no involvement with Antifa. Judge Moon was present at trial, and is well aware that this is an effort, albeit a feeble one, to materially deceive this Court.

9.) For these reasons, and those set forth throughout this case, Plaintiffs are not to be compensated in any way for this abuse of the legal system, and Cantwell cannot pay, anyway.

10.) Short of this reality being honored by the Court, Cantwell has read Mr. Kolenich's response at ECF 1570, and doubts he can come up with more legally coherent reasoning before May 23rd and, to the extent applicable and not inconsistent with his own motions and facts Cantwell ~~is~~ hereby joining and incorporates by reference Mr. Kolenich's legal reasoning in opposition to Plaintiffs' motion.

Respectfully Submitted,
Christopher Cantwell
5-5-2022

